

DOCKET NO. 175

NUMBER TERM YEAR

370 September 1961

Betty L. Wills

VERSUS

Stanley A. Wills

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BETTY L. WILLS : No. 370 September Term, 1961
vs. :
STANLEY A. WILLS : IN DIVORCE

MASTER'S REPORT

• • • •
Appendix "A"

All Filed Papers

• • • •
Appendix "B"

Testimony

Clearfield County, ss:

The Commonwealth of Pennsylvania, to Dan P. Arnold, Esquire

Greeting:

Know you, that in confidence of your prudence and fidelity we have appointed you, and by these presents do give unto you full power and authority, in pursuance of an order made in our County Court of Common Pleas, for the County of Clearfield, in a certain cause there depending, wherein

Betty L. Wills

Plaintiff,

and Stanley A. Wills

Defendant,

to call before you at a certain day and place by you for that purpose to be appointed, all and every person who may be named to you on the part of the parties

as witnesses in the said cause, and then and there to examine each of the said witnesses upon their oath or solemn affirmation touching the premises and reduce their testimony to writing and report same with a form of Decree and when you shall have done so, you are to send the name before our Judge at Clearfield, at our said Court, together with the interrogatories and this writ, and under your hand and seal.

In Testimony Whereof, we have caused the seal of our said Court to be hereunto affixed.

WITNESS, the Hon. John J. Pentz, President of our said Court, at Clearfield, the 23rd day of February, in the year of our Lord one thousand nine hundred and Sixty-Two

Carl E. Walker

Prothonotary

To the Honorable, the Judge, &c.:

The execution of this commission appears in a certain schedule hereunto annexed.

Dan P. Arnold 
COMMISSIONER.

No. 370 February Term. 1962

Betty L. Wills

VERSUS

Stanley A. Wills

COMMISSION

Kelly, Johnston & Cimino Attorney.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BETTY L. WILLS : : No. 370 September Term, 1961
vs. : :
STANLEY A. WILLS : : IN DIVORCE

MASTER'S REPORT

I

SCHEDULE

1. Complaint in Divorce was filed October 28, 1961.
2. Complaint in Divorce was served on the defendant on November 15, 1961 as evidenced by Affidavit of Service attached hereto.
3. On February 20, 1962, Dan P. Arnold, Esquire, was appointed Master.
4. The Master's Hearing was fixed for March 26, 1962 at 1:30 o'clock in the office of the Master at 101 S. Second Street, Clearfield, Pennsylvania.
5. Notice of Master's Hearing was accepted on behalf of plaintiff on March 8, 1962, as is evidenced by acceptance of service hereto attached.
6. Master's Notice of hearing was served on the defendant on March 9, 1962 as evidenced by Affidavit of Service attached hereto.
7. Master's hearing was held at the time and place aforesaid, at which time the plaintiff appeared together with her attorney, Edward T. Kelley, and a witness, Mary English.
8. No appearance was entered of record for the defendant nor did he appear at the hearing

II

The causes of divorce as stated in the Complaint, were indignities to the person and desertion.

III

FINDINGS OF FACT

1. Marriage. Plaintiff and Defendant were married on December 3, 1949 at Woodland, Pennsylvania, by Reverend Winklebloch, a Methodist Minister.

2. and 3. Residence and Citizenship. Plaintiff has lived in Clearfield County and the Commonwealth of Pennsylvania her entire lifetime. Plaintiff and defendant, after their marriage, lived at various places in and around Morrisdale, Clearfield County, Pennsylvania. Plaintiff at the present time is residing at Morrisdale, R. D., Pennsylvania. Both plaintiff and defendant are citizens of the United States of America.

4. Age and Occupation. The plaintiff is 28 years of age and is a housewife. The defendant is 30 years of age and his occupation is hauling coal.

5. Children. There were three children born to this marriage: Stanley A. Wills, age 11, Darrell Wills, age 7, and Kimberly Wills, age 1 year, and all of said children presently reside with the plaintiff.

6. Military Service. The defendant is not now a member of any of the Armed Services of the United States.

7. Findings on the Merits.

(a) Defendant deserted the plaintiff on August 15, 1959 and the parties have not lived, or cohabited together, from that time.

(b) Defendant has neglected to provide a home for the plaintiff since August 15, 1959, being the date of separation, and has made no effort to resume marital relations with her since that time.

(c) The desertion of the defendant has continued up until the date of hearing, a period in excess of two (2) years.

(d) Plaintiff has given the defendant no cause for leaving her.

8. Discussion. This divorce was brought on two grounds: (a) indignities to the person, and (b) desertion. The large bulk of the testimony deals with various indignities heaped upon the plaintiff by the defendant, which continued for several years. The indignities were compounded by physical violence upon the person of the plaintiff, which violence, however, did not amount to cruel and barbarous treatment as defined in the Divorce Act. There was no charge under the Divorce Act of cruel and barbarous treatment.

While I think the testimony concerning the indignities inflicted on the plaintiff by the defendant were sufficient to establish grounds for divorce, no decision is necessary on this point because of the second ground: desertion.

On the 15th day of August 1959, after a lengthy and prolonged unhappy marriage, accompanied by a more or less continuous bickering and fighting between the parties, the defendant packed up and left the common home. The plaintiff and the children remained at the home at Morrisdale, R. D., Pennsylvania, and continue to reside there. After the separation the plaintiff instituted an action for desertion and non-support and obtained a support order for her and the children in the Courts of Clearfield County.

After the defendant left the common home on August 15, 1959, he has continued to remain away from the plaintiff. During all the more than two years of this continued desertion, and in fact up to the date of the hearing, the defendant has made no effort towards a reconciliation and has at no time, by telephone, in person or letter, sought to re-establish a home with his wife.

IV

CONCLUSIONS OF LAW

1. The Court has jurisdiction of the subject matter and of the parties.

2. The proceedings are in accordance with the requirements of law and Rules of Court.

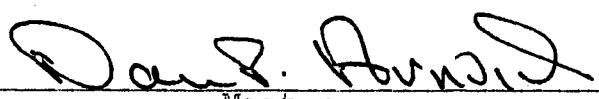
3. The defendant is guilty of wilful and malicious desertion persisted in for a period in excess of two years.

4. Plaintiff is the injured and innocent spouse.

V

RECOMMENDATION

The Master recommends a decree granting the plaintiff an absolute divorce from the bonds of matrimony from the defendant, Stanley A Wills; a suggested form of decree is herewith respectfully submitted.



Master

DAN P. ARNOLD
ATTORNEY AT LAW
CLEARFIELD, PA.

In the Court of Common Pleas of Clearfield County, Pennsylvania

BETTY L. WILLS } Of September Term, 19 61
No. 370
VERSUS
STANLEY A. WILLS }
DIVORCE

And Now, the 2nd day of April 19 62 the
report of the Master is acknowledged. We approve his findings and recommendations; except
as to _____

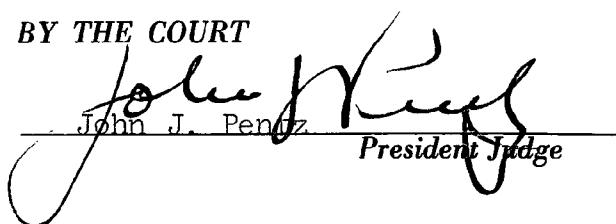
We, therefore, DECREE that BETTY L. WILLS be
divorced and forever separated from the nuptial ties and bonds of matrimony heretofore con-
tracted between himself and herself STANLEY A. WILLS.
Thereupon all the rights, duties or claims accruing to either of said parties in pursuance of
said marriage, shall cease and determine, and each of them shall be at liberty to marry again as
though they had never been heretofore married, except that _____

The Prothonotary is directed to pay the Court costs, including Master's fees, as noted herein, out of the deposits received and then remit the balance to the libellant. No Decree to issue until the costs be fully paid. We do further award to the said BETTY L. WILLS his her costs expended in this action.

ATTEST

Prothonotary

BY THE COURT


John J. Penz
President Judge

In The Court of Common Pleas
Of Clearfield County, Penna.

No. 370 September Term 19 61

BETTY L. WILLIS
Libellant

VERSUS

STANLEY A. WILLIS
Respondent

DECREE

Edward T. Kelley
Attorney

Appendix A
All Filed Papers

IN THE COURT OF COMMON PLEASE OF CLEARFIELD COUNTY, CLEARFIELD, PENNSYLVANIA

Betty L. Wills :
Vs : 370 September Term, 1961
Stanley A. Wills :
:

DOCKET ENTRIES

OCTOBER 28, 1961, COMPLAINT IN DIVORCE filed. One copy certified to the Sheriff.

NOVEMBER 18, 1961, AFFIDAVIT OF SERVICE filed: NOW, November 15, 1961 at 7:50 o'clock P.M. served the within Complaint In Divorce on Stanley A. Wills at place of residence, Allport, Pa., by handing to him personally a true and attested copy of the original Complaint in Divorce and made known to him the contents thereof. So swears, Charles G. Ammerman, Sheriff.

NOW, February 20, 1962, By motion on the Watch Book, Dan P. Arnold, Esquire is appointed Master to take testimony and report same with form of Decree. By the Court, John J. Pentz, President Judge.

Certified from the records this 23rd day of February, 1962.

Carl E. Walker

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BETTY L. WILLS, Plaintiff : No, 370 *Sept* Term, 1961

vs. : In Divorce

STANLEY A. WILLS, Defendant :

TO: THE HONORABLE JOHN J. PENTZ, President Judge of said Court:

C O M P L A I N T

AND NOW, this 24th day of October, 1961, comes the Plaintiff, BETTY L. WILLS, and by her Attorneys Kelley, Johnston & Cimino brings this action in divorce of which the following is a statement:

FIRST: The Plaintiff in this action is BETTY L. WILLS, of Morrisdale R.D., Clearfield County, Pennsylvania; and the defendant in the above-captioned divorce action is Stanley A. Wills, her husband,

SECOND: The Plaintiff herein presently resides at Morrisdale R.D., Box 275-A, Morris Township, Clearfield County, Pennsylvania; and the Defendant Stanley A. Wills, her husband, resides at the Village of Allport, Morris Township, Clearfield County, Pennsylvania.

THIRD: The Plaintiff herein, Betty L. Wills, has resided in the Commonwealth of Pennsylvania continuously since the time of her birth and presently is twenty-eight (28) years of age.

FOURTH: The Defendant herein, Stanley A. Wills, is a citizen of the United States of America and has resided in the Commonwealth of Pennsylvania since the time of his birth and he is presently thirty (30) years of age,

FIFTH: The parties hereto were lawfully joined in marriage on December 3rd, 1949 at the Methodist Parsonage in Woodland, Clearfield County, Pennsylvania by the Reverend Winklebloch.

SIXTH: There were three (3) children born of this

marriage, namely, Stanley A. Wills, born on April 18, 1950; Darrell Wills born on January 29, 1955 and Kimberly Wills born on May 6, 1960; and said children presently reside with their mother, or the Plaintiff herein at their maternal home.

SEVENTH: In violation of their marriage vows and of the laws of this Commonwealth, the Defendant, Stanley A. Wills offered such indignities to the person of the injured and innocent spouse, as to render her condition intolerable and life burdensome.

EIGHTH: In violation of his marriage vows and of the laws of this Commonwealth, the Defendant, Stanley A. Wills, did on or about August 15, 1959, at Morris Township, Clearfield County, Pennsylvania, wilfully and maliciously and without reasonable cause, desert the Plaintiff, Betty L. Wills, from their common habitat on Morris Township, Clearfield County, Pa. and has continued in said desertion for a period of two (2) years from the aforesaid date.

NINTH: This action is not collusive.

TENTH: Plaintiff herein avers that no action in divorce has been commenced by either of the parties hereto in any County Court within or without the Commonwealth of Pennsylvania.

WHEREFORE, the Plaintiff prays that a Decree of Divorce (A Vinculo Matrimonii) from the bonds of matrimony be entered divorcing Plaintiff from the Defendant.

Kelley, Johnston & Curran
124 Lawrence T. Kelley
Attn: for
Betty L. Wills
Plaintiff

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CENTRE : SS.
: :

BETTY L. WILLS, being duly sworn according to law,
deposes and says that the facts contained in the foregoing
Complaint are true and correct, according to the best of her
knowledge, information and belief.

Betty L. Wills
Betty L. Wills

SWORN and subscribed to
before me this 24th day of
October, 1961.

Sgeraldine E. Craft
Notary Public

My comm, expires: March 5, 1965

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA.
NO. 370 Sept TERM, 1961
In Divorce

BETTY L. WILLS,
Plaintiff

v.s.

STANLEY A. WILLS,
Defendant

C O M P L A I N T

TO THE VITIHN Defendant:
YOU ARE REQUIRED TO FILE
An Answer
TO Within Complaint
Within 15 days of the filing
HEREOF

RECEIVED 16
KELLEY, JOHNSTON & CIMINO
By W. L. Kelley 16
Attorneys for Plaintiff
FILED 16
16
W. L. KELLEY, JOHNSTON & CIMINO
ATTORNEY AT LAW
PROTHOMAS OFFICE, P.A.
FILED 16
16

Affidavit of Service

Betty L. Wills

vs.

Stanley A. Wills

No. 370 Sept Term, 19 61

Complaint In Divorce

Returnable within _____ days
from date of service hereof.

NOW November 15, 1961 at 7:50 o'clock P.M.
served the within Complaint In Divorce
on Stanley A. Wills

at Place of residence, Allport, Pa.

by handing to him personally

a true and attested copy of the original Complaint In Divorce
known to him the contents thereof. Costs.

Sworn to before me this 16th

day of Nov A.D. 19 61

Wm T. Hager
Prothonotary

Sheriff Amerman \$18.50
Paid by Atty Kelley
So answers,

Charles G. Amerman
Charles G. Amerman

Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BETTY L. WILLS

:

vs.

:

370 September Term, 1961

STANLEY A. WILLS

:

NOTICE

To: Betty L. Wills
R. D.
Morrisdale, Pennsylvania

Stanley A. Wills
Allport, Pennsylvania

This is to notify you that the undersigned has been appointed Master in the above captioned divorce action and for the purpose of his appointment will hold a hearing on Monday, March 26, 1962 at 1:30 o'clock P. M. at which time you may attend together with your witnesses if you so desire.

Dan P. Arnold
Dan P. Arnold, Master

NOW, March 8th, 1962, service of the above notice is hereby accepted on behalf of Plaintiff.

Edward T. Kelley
Edward T. Kelley, Attorney for Plaintiff

Affidavit of Service

Betty L. Willis

vs.

Stanley A. Willis

No. 370 November Term, 1961

Notice of Masters Hearing

Returnable within _____ days
from date of service hereof.

NOW March 9 1962 at 12:20PM o'clock
served the within Notice of Master's Hearing
on Stanley A. Willis
at place of Employment, Penbrook Coal Tipple, Morris Township, Morrisdale, Pa.

by handing to him personally

a true and attested copy of the original Notice of Master's Hearing and made
known to him the contents thereof. Costs. \$10.70
(Pd. by Atty. Arnold)

Sworn to before me this 10th

day of March A. D. 1962

Carl E. Walker

PROTHONOTARY Prothonotary

My Commission Expires
1st Monday Jan. 1966

So answers,

James B. Reese

James B. Reese

Sheriff

APPENDIX B

Testimony

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BETTY L. WILLS

vs.

No. 370 September Term, 1961

STANLEY A. WILLS

At a Master's Hearing held in the office of Dan P. Arnold at 101 S. Second Street on March 26, 1962 at 1:30 o'clock P. M. there appeared Betty L. Wills, the plaintiff, together with her attorney, Edward T. Kelley, and Mary English as witness. The parties being sworn testified as follows:

By Mr. Kelley:

Q. What is your name?

A. Betty Wills.

Q. Are you the one who is asking for a divorce from Stanley A. Wills?

A. Yes.

Q. When were you married?

A. December 3, 1949.

Q. Where were you married?

A. In Woodland.

Q. By whom?

A. Rev. Winklebloch.

Q. After your marriage where did you live?

A. Morrisdale, R. D.

Q. In a house, did he provide one for you?

A. No. I lived with my mother.

Q. And he lived there too?

A. Yes.

Q. How old are you?

A. Twenty-eight.

Q. How old is your husband?

A. Thirty.

Q. What is your occupation?

A. Housewife.

Q. What does he do?

A. He hauls coal now.

Q. After you were married and lived with your mother, how long did you live there?

A. A couple of years - three maybe.

Q. Then where did you go?

A. We moved into a house way down in the sticks.

Q. Where would that be?

A. I don't even know what its called. It was still in Morrisdale, but . . .

Q. Ellistown?

A. Yes.

Q. Out in the country?

A. Yes.

Q. How long did you live there?

A. Three months.

Q. Then where did you live?

A. We lived up the road a little piece, in my aunt's house.

Q. How long did you live in that house?

A. Three weeks.

Q. Then where did you go?

A. We bought a two-room trailer.

Q. Where did you live then?

A. Right along the Deer Creek road.

Q. How long did you live there?

A. I imagine a year anyway. Till it burned.

Q. Then where did you live?

A. Back home.

Q. With your mother?

A. Yes.

Q. How long did you live there?

A. Quite a while, I don't know for sure.

Q. Do you know when you left there and went somewhere else, where did you go then?

A. We built a two-room house.

Q. Where?

A. Along the Deer Creek road.

Q. How long did you live in that house?

A. We got down before Thanksgiving of 1954.

Q. How long did you live there?

A. I still live there.

Q. When did he leave you?

A. He left August of 1959, August 15.

Q. How many children were born to your marriage?

A. Three.

Q. What are their birth dates?

A. Stanley was born April 18, 1950, Darrell was born January 29, 1955, and Kimberly was born May 6, 1960.

Q. How did you get along when you lived at these various places. For instance, you lived with your mother when you first started out, how did you get along there?

A. We got along pretty good. We had arguments.

Q. Then when you moved to the next place, how did you get along?

A. He wasn't there very much.

Q. What was he doing?

A. He was working for my dad then.

Q. When did the trouble really start, where were you living when the trouble really started?

A. In our own house.

Q. The one you built.

A. No, we had trouble when we lived in my Aunt Mildred's house too. He blamed me for liking the breadman.

Q. He blamed you for liking the breadman? What did he do on that occasion?

A. He just came home from work one night and told me to take my clothes and get out and I didn't even know what he was talking about.

Q. Did you have any children then?

A. One.

Q. What did he do then?

A. He just told me I liked the breadman. I didn't know anything about it.

Q. Was he serious about it?

A. Oh, yes. He was bound I was going to take my clothes and leave.

Q. Did you leave?

A. No, I didn't.

Q. What happened then, was there trouble?

A. No.

Q. When you got into the house that you built, you had trouble before you say, but is that when the trouble really started?

A. Yes.

Q. Tell me what happened there.

A. I think in the first place I was discussed because our house wasn't fixed up right, like a home should be. It only had two rooms, the kitchen was plasterboard, but the rest of the house was left just plain boards, no plasterboard or nothing on it, only on the ceiling.

Q. Was he working then?

A. Yes.

Q. Who was he working for then?

A. Clark Hubler.

Q. Did he bring you home money?

A. He gave me a little, yes.

Q. And then what happened?

A. He didn't give me his check, but he gave me some money. He was an awful drinker, he drank too when we were first married, and he'd drink and he'd come home and hit me.

Q. How many times would you say that he hit you? When you lived in that house down there.

A. Oh, 50 I imagine, or 60.

Q. When he hit, where did he hit you?

A. In the face.

Q. What did he hit you with?

A. His fist.

Q. Did that cause any damage to your face?

A. Yes. I had two black eyes, bruised lips, the guy I went up and had him a letter wrote, the guy thought my nose was broken, but it wasn't.

Q. This happened, you say 50 or 60 times?

A. Yes.

Q. Did he do it after he came home from work, or when did he do it?

A. Well, he'd come in from work, or if I happened to be say combing my hair or something, when he came in he would get mad.

Q. Why?

A. I don't know, he just/^{thought} I liked myself or something.

But he got so he wouldn't allow me to go to my sister's place, she lived right next door.

Q. What do you mean he wouldn't let you go to her place?

A. He just ^{didn't} want me to go out. He just wanted her to come down.

Q. Why?

A. I don't know why, he was just funny that way, I guess. We didn't do nothing. If we happened to laugh it would make him mad.

Q. Did this happen often before he told you not to go up there?

A. Oh, yes.

Q. Did he say why he objected to you sister coming there?

A. No. He didn't allow her kids in my house, they were too noisy.

Q. Was this constantly?

A. No, they didn't bother me, it wasn't that often that them came.

Q. No, I mean was this constantly that he was complaining about these little things?

A. Yes.

Q. What did you do about keeping the house clean and getting his meals?

A. Yes sir, I cooked and scrubbed, just like you would keeping house.

Q. Was there any excuse for him hitting you?

A. Not that I know of.

Q. Did he give you any warning that you were going to get hit?

A. No, he just get mad and start fighting, and he threw a cake of soap at me one day, but he missed me. He throwed a cup of coffee at me and it flew all over the wall, knocked the coffee pot off the stove.

Q. What about his language to you?

A. Oh, he called me a dirty whore, and son-of-a-bitch, and anything he could.

Q. In front of the children?

A. Yes.

Q. Did he ever do it in front of anyone else?

A. Yes.

Q. Who, for instance, did he ever say it in front of?

A. He used to call me stuff in front of my mother, my dad and my sister and her husband. In front of the public for that matter.

Q. Did he ever take you out?

A. Once in a while.

Q. Where would he take you?

A. To the Winburne Club.

Q. What would they have there, was it a dance or anything like that?

A. Yes.

Q. And what happened at the dance?

A. We'd be sitting at a table and he'd leave me sit and go around to talk, and then he'd talk about me which I could hear. I heard him say she's a dirty son-of-a-bitch.

Q. And you heard him?

A. Yes, I heard him. I got up and went to the table where they was at and I jumped on to him. I told him if he had anything to say about me at least to have enough nerve to keep it to himself.

Q. Did that happen more than once?

A. Yes. About every time we went out we had a fight.

Q. What was the effect on you to hear him say these things?

A. It made me mad, that's for sure.

Q. What about some instances when you were living there, did other people come to see you there?

A. Yes. The girls would come down there, blow their horn and ask for him, and then he would go out and talk to them and I heard, they didn't know I was listening, but this girl must have asked him to go along, and this one time he said he wouldn't go then because I would be able to see that he disappeared, so that guy said your wife's standing on the porch listening to you and he said I'll pretend I'm buying that old car sitting down there. So they tried that but I heard before they said it, then I knew what was going on.

Q. And when happened then?

A. So when he came in then I jumped on him and that's the night we had another fight and he told me I was a liar and I didn't hear any such thing. I caught him with a letter once from a girl, the neighbors had it first, their son had it, but they read it, and they told me some stuff that was in the letter.

Q. You didn't get that letter?

A. No, I didn't get ahold of it. I caught him reading it but he jerked it down between his legs. I tried to grab it but couldn't get ahold of it. So he sit right there and read the rest of it and then he took it to the cellar and he burned it. But I have a letter right here from a girl that I called her and jumped on to her for running around with my husband.

Q. What about his staying home at nights and all?

A. Well he went out and stayed all week-end, he went out and stayed overnight and came home the next day still drunk. He was so drunk he didn't know what he was doing. He still does to this day. He comes to see the kids once in a great while and he's drunk when he does come. He wants me to allow him to have the kids and he wants to take them to the Winburne Club and set with him all day, and I won't allow him to take them when he's going there. If he wants to take them to his mother's place I don't mind, but he don't come for them very often anymore. He hasn't been there for a month or more. He doesn't support me now,

only once in a great while. I haven't got a check now for over a month. It will be a month and a week.

Q. When he would go out these times, did he tell you where he was?

A. No, he would tell me it was none of my business.

Q. Would that happen often?

A. Yes, quite often.

Q. When he came home in that condition, did he ever strike you then?

A. Yes. He used to come home with messed up shirts, lipstick on his collar, this one had blood on and I took it and laid it on the clothes bashed - I was going to hide it to show to people, and here he took the shirt and did something with it. I don't know if he burned it or threw it away. He had lots of messed up hankies, and he came home with lots of shirts messed up, I was fool enough to clean them up for him, but this one I was going to keep and he disposed of it himself.

By the Master:

Q. What do you mean by messed handkerchiefs?

A. Bloody, and, I don't know what to say.

Q. Go ahead and say it, you know what it is.

A. I don't know what to call it.

Q. Did he have some of his discharge on the handkerchief?

A. Yes.

By Mr. Kelley:

Q. How about on his underwear?

A. Yes.

Q. Did you accuse him of it?

A. Yes.

Q. What did he say?

A. He told me he fell on a stick, but he couldn't show me no mark.

Q. That was the blood wasn't it?

A. That was for the blood.

Q. What did he say when you asked him about what he was doing and where he was going?

A. He told me it was none of my business. He'd do as he pleased. He told me often he was over 21 years old, he was his own boss now.

Q. Did he strike you and swear and hit you in front of the children?

A. Yes. He did. He got after my sister and tried to have intercourse with her.

Q. Did she tell you about it?

A. Yes, she did. She came and told me the same night.

Q. Did you have an argument about it?

A. Yes, we did.

Q. Was that one of the times he struck you?

A. Yes.

Q. What did he do on that occasion?

A. I just hit back, and I didn't get hurt that time.

Q. What happened around August 15, 1959 when he left you?

A. Oh, what happened.

Q. He left you about August 15, 1959 you say, and he hasn't come back to live with you since that time as husband and wife?

A. No.

Q. Where did he go?

A. He went to ... I think he must have talked about going before, because he went to Cecil Coble's place which he's been there since.

Q. Did he support you after that?

A. No. We went to a hearing.

Q. Justice of the Peace?

A. Yes, and I got a Court order.

Q. Do you have a Court order now?

A. Yes.

Q. How much is the Court order?

A. Its supposed to be \$20 a week.

Q. It comes to you through the probation office?

A. Yes.

Q. Are you getting that money now?

A. No.

Q. Are you supporting the children?

A. My mother is.

Q. He left you when?

A. August 15, 1959.

Q. And he hasn't been back since?

A. No.

Q. Did he have any real cause to leave you at that time?

A. Not, that I know of.

Q. He just got up and left, and he hasn't been back to live with you as husband and wife since?

A. Yes.

By the Master:

Q. This support order that you have, is that support for you and the children or just . . .

A. \$20 a week its supposed to be.

Q. Is it for you and the children/

A. It says for wife and children.

Q. At the time he left in August 1959 did he say he was going to leave?

A. No.

Q. What did he do?

A. . . .

Q. Was it disgust that he was leaving or did he just pack up?

A. He told me he was leaving. I told him you may as well because all we did was fight, and the kids was always scared.

Q. Did he pack his clothes then?

A. Yes.

Q. And where did he go when he moved out?

A. To cecil Coble's. I'm pretty sure that's where he went.

Q. Has he ever asked that you take up housekeeping again?

A. No.

Q. He's made no effort to get you to go back.

A. No.

Q. Do you have any agreement between you and your husband for the purpose of getting this divorce?

A. No.

By Mr. Kelley:

Q. What's your name?

A. Mary English.

Q. What relation are you to the petitioner here?

A. We're sisters.

Q. Where do you live with regard to the last place that they lived?

A. Right next door.

Q. When you say right next door how far away is that?

A. Just right across the street.

Q. You're married?

A. Yes.

Q. Do you have a family?

A. Yes.

Q. Could you tell us anything about how Mr. Wills treated your sister?

A. Now I was down there on different occasions when he struck her, but I didn't dare say anything because if I said he

shouldn't do things like that why I was interfering, so anybody I suppose would say I was, He'd hit her places in the face where I know she shouldn't be hit. He would always hit her in the face.

Q. Did you see the condition of her face on these occasions?

A. Yes.

Q. Would you tell us about what was the condition of her face?

A. Well, this one time he had hit her on the lip, and it was all swelled up great big, and her eyes were black and blue and swelled up, and so we thought she ought to go and talk to somebody about how he had been acting.

Q. Was this the only time you saw her?

A. No I saw one other time, she had dug marks on her hands where he had hit her and given her a black eye.

Q. Have you seen him hit her?

A. Yes.

Q. How many times have you seen him hit her?

A. Well now, I couldn't say for sure but I imagine maybe three or four times in my presence.

Q. Were you ever up there, and what was his kind of language he used toward her?

A. He cursed her and called her all kinds of things, one thing he was always calling her was an old whore. He used that lots. Or an old son-of-abitch. He used those two words.

Q. Did he do this in front of you?

A. Yes.

Q. Did you ever hear him do it in front of other people?

A. Well, like she said we was to the club different times and he would ... When he would get drunk he'd get to the place where he'd be drunk enough to start something and then he would leave us and go to other tables.

Q. Did you hear him making remarks about your sister on those occasions?

A. Yes.

Q. What kind of remarks were they?

A. Oh such things as being an old son-of-a-bitch, and she was the one that was the trouble maker. Just things like that.

Q. Did you happen to tell your sister about an occasion when he went after you?

A. Yes, my husband was out at camp, and he said if I got a way to come out, come out. So my brother come up there and said would you like to come out to camp tonight, so I said OK. Of course, our car was there, that was the only way for them to go with us, we had to take the car. So I said OK and he'd do the driving. Of course, we got in the car and he wouldn't sit beside Betty. I didn't know why at the time but he just wouldn't sit beside her and after we got out there and we parked and I said now well which one of us is going back. And he said I'll take you back where Bert's at and he'd come back out for Betty. So I said OK, who far was it. He said oh just a little piece. I said was I going to have to walk too far, and he said no it wasn't that far. So I got out and started out back through there with him, and here all at once he got up there close to me and grabbed ahold of my neck and I didn't know what he was going to do. And I took off and I run away from him, and here he started to run and it was muddy and he got ahold of me and started to drag me over on the bank, and got over there and I jumped up and tried to run up on the bank and he pulled me down again, and just then one of the jeeps was going out from the camp and he jumped up and whenever he came back we came back where she was at, and I told her what he was doing up there, and she jumped on to him, and of course, he didn't deny it.

Q. What effect did that have on her? Was she upset?

A. Well she was pretty upset, I guess. She must have been, she really carried on about it. I imagine she felt pretty bad about it.

Q. When you were out places like that, did he also curse at her?

A. Sometimes, and sometimes he didn't, it just all depended on how he was.

Q. Do you know that he left around August 15, 1959?

A. Yes.

Q. Do you know that he hasn't come back there to live?

A. Yes. I know that, certainly.

Q. Is he in the service?

A. No.

Q. Was he in the service anytime during this marriage?

A. No.

Q. Have you seen him within the past month or two areound the area?

A. No, I haven't seen him around, even around home there he hasn't been around there. Usually when he comes he comes to our place. He don't go there, he comes to our place and then if he wants to see the kids he sends one of our's down to tell them to come up.

End of Testimony

Kelley, Johnson & Currie
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 370 September Term, 1961
IN DIVORCE

BETTY L. WILLS

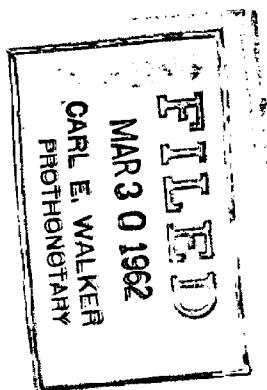
vs.

STANLEY A. WILLS

UNCONTESTED

MASTER'S REPORT

Master's fee \$85.00



DAN P. ARNOLD
ATTORNEY AT LAW
CLEARFIELD, PA.

Now April 2, 1962 Service received and notice
of time waived

Kelley, Johnson & Currie.